

DECLARATION OF TOBIAS FIESER

I, TOBIAS FIESER, HEREBY DECLARE:

1. My name is Tobias Fieser.
2. I am over the age of 18 and am otherwise competent to make this declaration.
3. This declaration is based on my personal knowledge and, if called upon to do so,

I will testify that the facts stated herein are true and accurate.

4. I am a salaried employee of IPP International UG ("IPP").
5. IPP is a company organized and existing under the laws of Germany.
6. I do not have an ownership interest in IPP nor any other entity involved in or affiliated with IPP's data collection system.
7. I am not being paid for my testimony and do not have the right to receive any portion of a settlement or judgment in Plaintiff's favor.
8. Malibu and IPP have a written fixed fee agreement pursuant to which Malibu pays IPP for providing the service of collecting data about infringements.
9. IPP has not been paid anything for this case.
10. Malibu has never paid nor offered to pay me anything.

FURTHER DECLARANT SAYETH NAUGHT.

DECLARATION

PURSUANT TO 28 U.S.C. § 1746, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 16th day of June, 2014.

By: T.F.

TOBIAS FIESER